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GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Mines & Minerals - Amendments to the Rule 7, 11, 12 & 13 of the Andhra Pradesh Minor Mineral Concession Rules, 1966 -Notification–Issued.

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INDUSTRIES & COMMERCE (MINES-III) DEPARTMENT

G.O.Ms.No.25 Dated:06.04.2023

Read the following:-

1. G.O.Ms.No.1172, Ind. & Com. Dept., dt:04-09-1967.
2. G.O.Ms.No.13, Ind. & Com.(M.III) Dept, dt:14.03.2022.
3. G.O.Ms.No.14, Ind. & Com.(M.III) Dept, dt: 14.03.2022.
4. From the DM&G, AP, Lr.No.16860/P-R.M/2019,dt.08.11.2022
5. From the DM&G, AP, Lr.No.16860/P-R.M/2019,dt:28.12.2022
6. Note on meeting of the DM&G & Hon'ble M(M&G) on recommendation of Committee, dt:12.01.2023
7. Govt, e-file No.INC01-MG0DMGE/542/2022-M.III.
8. From the DM&G, A.P, Lr.No.16860/P-R.M/2019, Dt.09.03.2022.

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ORDER:

In the G.O. 2nd read above, Government have amended Andhra Pradesh Minor Mineral Concession Rules, 1966 for grant of Minor Leases through e auction. Accordingly, the Andhra Pradesh Minor Mineral Auction Rules, 2022 were notified vide G.O 3rd read above.

2. The Director of Mines & Geology, A.P vide Letters 4th and 5th read above, and Note 6th read above, has submitted a list of 16 recommendations proposed by the Committee to review the existing policies and practices to make minor mineral quarry sector vibrant and competitive in National Perspective by constituting four sub-committees as Granite, 31 Minor Minerals and requested for necessary orders in this matter.

3. In the letter 8th read above, the DM&G., AP., has submitted proposals requesting to issue necessary orders duly amending rules 7, 11, 12 & 13 of the Andhra Pradesh Minor Mineral Concession Rules, 1966;

a. Single rate of Seigniorage Fee to be fixed for Steatite.
b. Renewal of existing Quarry Leases to be granted on payment of Premium Amount.
c. Period of one year shall be considered for the approval of Mining Plan from the date of execution of quarry lease, instead of end of financial year. Annual Production to be taken on pro-rata basis, duly commensurate with the date of quarry lease execution of five-year cycle period.
d. Temporary Permits and Minor Mineral Quarry Leases in Patta Lands to be granted on payment of a premium amount equal to reserve price, instead

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of the premium amount discovered through auction of the respective minerals.

3. Government, after careful examination of the matter, have accepted the above recommendations of the Committee and accordingly decided to make amendments to the Andhra Pradesh Minor Mineral Concession Rules, 1966.

4. Accordingly, the following Notification will be published in an Extra Ordinary issue of the Andhra Pradesh Gazette, Dt:06.04.2023.

NOTIFICATION

In exercise of the powers conferred by sub section (1) of section 15 of the Mines and Minerals (Development and Regulation) Act, 1957 (Central Act 67 of 1957), as amended from time to time, the Governor of Andhra Pradesh hereby makes the following amendment to the Andhra Pradesh Minor Mineral Concession Rules, 1966 issued in G.O.Ms.No.1172, Industries & Commerce (B.I) Department, 4th September, 1967 as subsequently amended.

AMENDMENTS

In the said rules,-

I. for sub-clause (b) of clause (v) of sub-rule (A) of rule 7, the following shall be substituted, namely;-

"In the case of mineral bearing areas considered for grant of quarry lease other than through e-auction, the Deputy Director concerned shall take decision to grant precise area for the said purpose and communicate such decision to the applicant, upon receipt of a Premium amount, a sum equivalent to Reserve Price as fixed by the State Government for e-auction, and such premium amount shall be remitted to Head of Account as prescribed by the Government, the Deputy Director of Mines & Geology shall issue notice (LOI) along with a copy of the surveyed sketch showing the area on which Mining Plan has to be prepared.

Provided that, in case of associated minerals, the highest reserve price available for one among the associated minerals shall be considered."

II. after sub rule (1) of rule 11, following clause shall be inserted, namely;-

"(i)To grant the quarry lease for any minor minerals on nomination basis, for linear National/ State Government Projects."

III. in rule 12, -

1. for sub-clause (b) of clause (i) of sub-rule (4), the following shall be substituted, namely;-

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"In cases where the quarry lease holders fail to apply for renewal of the lease of the areas and minerals specified in Rule 12(1) and the procedure specified therein within specified time , as required under sub-rule (2) of Rule 13, the respective area shall be considered for grant through e-auction as per the procedure laid down in these Rules.

Provided that the Deputy Director shall grant a renewal upon receipt of a Premium amount equivalent to 10 times of Dead Rent as per the provisions laid down in Rule 7(A)(v)(b) in these Rules.

Provided further that the Deputy Director shall renew the leases having the lease period of 5 years to further 5 years and the leases having the lease period of 10, 15 and 20 years to further period of 10 years subject to adherence to and non-violation of Rules during the operation of mining lease."

2. in sub-rule (5),-

(a) for sub-clause (ii) of clause (c), the following shall be substituted, namely;-

"In the case of mineral bearing areas considered for grant of quarry lease other than through e-auction, the Director shall take decision to grant precise area for the said purpose and communicate such decision to the applicant, upon receipt of a Premium amount , a sum equivalent to Reserve Price, for the particular mineral, as fixed by the State Government for e-auction and such Premium amount shall be remitted to Head of Account as prescribed by the Government, the Director of Mines & Geology shall issue notice (LOI) along with a copy of the surveyed sketch showing the area on which Mining Plan has to be prepared

Provided that, in case of associated minerals, the highest premium amount available for one among the associated minerals shall be considered."

(b) in the last proviso to sub-clause (ii) of clause (f) at the end, the following expression shall be omitted, namely;-

"such that the minimum area shall not be less than one (1) hectare"

(c) for clause (h) (xi) (i), the following shall be substituted, namely;-

" (i) If the lessee to whom a quarry lease is granted has complied with all the conditions of the lease and filed an application for grant of renewal of lease in Form–Q, to the Assistant Director of Mines and Geology before twelve months of the expiry of the lease and accompanied by a treasury or bank challan for Rs.10,000/- (Rupees Ten Thousand only) towards non-refundable application fee, the Director of Mines and Geology, shall initially renew for a period not exceeding 10 years. In case of subsequent

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renewals, the Director of Mines and Geology, with prior permission of the State Government, shall grant such renewals, subject to adherence to and non-violation of Rules during the operation of mining lease.

Provided that the leases which are to be expired on 31st March 2023, the lessee shall apply for the renewal of Quarry Lease in Form-Q along with premium amount, equivalent to 10 times of Dead Rent.

Provided further that the Renewal of Quarry Lease applications, which are pending for disposal, are processed and granted, upon payment of the premium amount, which is equivalent to 10 times of Dead Rent.

Provided also that the Director shall grant a renewal upon receipt of a Premium amount which is equivalent to 10 times of Dead Rent, as per provisions laid down in Rule 12(5)(c)(ii) in these Rules."

(ii) The renewal of quarry lease application shall be disposed of by the Director before the expiry of lease.

Provided that where the renewal of quarry lease application is not disposed of before the expiry of lease, it is deemed to have been extended till the application is disposed of by the Director."

IV. for sub rule (2) of rule 13, the following shall be substituted, namely;-

"The application for the renewal of a quarry lease [the application for the renewal of a quarry lease shall be accompanied by a Treasury or Bank challan for rupees one thousand in token of remittance towards fee and] shall be made before ninety days of the expiry of the period of lease to the [Deputy Director] and it shall be disposed of before the expiry of the lease period.

Provided that the leases which are to be expired on 31 st March 2023, the lessee shall apply for the renewal of Quarry Lease, along with premium amount, equivalent to 10 times of Dead Rent.

Provided further that the Renewal of Quarry Lease applications, which are pending for disposal, are processed, and granted, upon payment of the premium amount, which is equivalent to 10 times of Dead Rent.

The Director of Mines & Geology may condone the delay in filing the application for renewal of quarry lease after the time limit prescribed and such application is received before expiry of the lease period.

Provided that where the renewal of quarry lease application is filed within the stipulated time and not disposed off before the expiry of the lease, the period of quarry lease shall be deemed to have been extended till the renewal application is disposed of by the Deputy Director.

Provided further that where an application for the grant of quarry

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fee paid by the applicant under sub-rule (1) of Rule 12 shall be refunded to the applicant:

Provided also that where an application for grant of quarry lease is rejected on account of any lapse on the part of the applicant in supplying any material information, the fee paid by the applicant under sub-rule (1) of Rule 12 shall be forfeited to the Government."

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner of Printing, Stationery & Stores Purchases (Printing Wing) Andhra Pradesh, Vijayawada. (with a request to publish the above notification and arrange to send 200 copies of the same to the Government in Industries & Commerce (M.III) Department and 100 copies to the Director of Mines & Geology, A.P., Ibrahimpatnam,Vijayawada).
The Director of Mines & Geology, Andhra Pradesh, Ibrahimpatnam.
The Chief Executive Officer, MERIC, Vijayawada.
All the District Collectors in the State.
All the Joint Director /Deputy Director / Asst. Director of Mines & Geology through the Director of Mines & Geology,Ibrahimpatnam.

Copy to:
The Secy to Govt, Ministry of Mines, Govt. of India, Shastry Bhawan, New Delhi.
The Law Department.
The Finance Dept.
The OSD to Minister for Mines & Geology.
The PS to Prl. Secretary to Govt., (Mines)
SF/SC(Comp.No. 1899018)

// FORWARDED :: BY ORDER //

SECTION OFFICER